



Attorney Docket No:23242-1020

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor: David Hertz

Serial No.: 10/646,401

Group Art Unit: 2819

Filed: 08/22/2003

Examiner: Williams

For: ADAPTIVE DYNAMIC RANGE RECEIVER FOR MRI

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF EXPRESS MAILING**

Sir:

I hereby certify that the attached documents listed below are being deposited with the United States Postal Service on the date shown below with sufficient postage as "Express Mail" in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

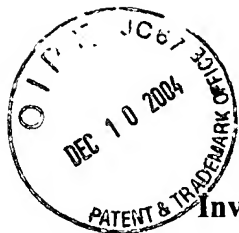
1. Amendment;
2. Amendment Transmittal;
3. Terminal Disclaimer and copy of Statement Under 37 CFR 3.73(b);
4. Petition for Three-Month Extension of Time;
5. Submission of Listing References in Parent Application;
6. Fee Transmittal; and
7. Return receipt postcard.

Maritza Acosta  
Name of Person Mailing

December 10, 2004  
Date of Deposit

EV 372168216 US  
Express Mail Number

  
Signature of Person Mailing Paper



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Inventors:** David Hertz**Examiner:** Williams**Application No.:** 10/646,401**Group Art Unit:** 2819**Filing Date:** August 22, 2003**Title:** Adaptive Dynamic Range Receiver for MRI**SUBMISSION OF LISTINGS OF REFERENCES  
FROM PARENT APPLICATION**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

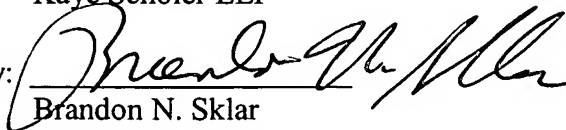
Attached is a copy of a List of Patents and Other Items for Applicant's Information Disclosure Statement (PTO Form 1449) filed in Application No. 09/887,385, filed on June 22, 2001, which is the parent of the present application. Also, enclosed is a Notice of References Cited by the Examiner in the parent application. Copies of these references may be found in the parent application. If the Examiner needs copies of any of these references, please contact the undersigned attorney.

Entry, consideration, and citation of these references are respectfully requested.

Respectfully submitted,  
Kaye Scholer LLP

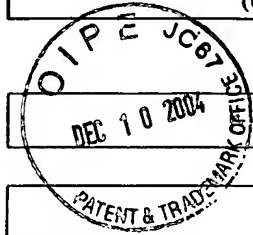
Date: December 10, 2004

By:

  
Brandon N. Sklar  
Attorney for Applicants  
Reg. No. 31,667

Kaye Scholer LLP  
425 Park Avenue  
New York, NY 10022  
212-836-8653

<b>FORM PTO-1449</b> <b>SEP 27 2001</b> <b>LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)	<b>ATTY. DO#</b> 260/130	<b>NO.</b>	<b>SERIAL NO.</b> 09/887,385
	<b>APPLICANT:</b> David Hertz		
	<b>FILING DATE:</b> June 22, 2001		<b>GROUP:</b> 2819



### FOREIGN PATENT DOCUMENTS (Continued)

#### a.U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
<i>HFW</i>	AA	4,070,708	1/24/1978	Smallcombe et al.	<u>          </u>	<u>          </u>	9/ 1/76
<i>HFW</i>	AB	4,665,364	5/12/1987	Hanawa	<u>          </u>	<u>          </u>	2/ 8/85
<i>HFW</i>	AC	4,700,138	10/13/1987	Shimazaki et al.	<u>          </u>	<u>          </u>	6/12/86
<i>HFW</i>	AD	4,703,267	10/27/1987	Maudsley	<u>          </u>	<u>          </u>	7/17/85
<i>HFW</i>	AE	4,806,866	2/21/1989	Maier	<u>          </u>	<u>          </u>	4/29/87
<i>HFW</i>	AF	4,871,966	10/ 3/1989	Smith et al.	<u>          </u>	<u>          </u>	11/16/88
<i>HFW</i>	AG	5,023,552	6/11/1991	Mehlkopf et al.	<u>          </u>	<u>          </u>	10/24/90
<i>HFW</i>	AH	5,093,621	3/ 3/1992	Den Boef et al.	<u>          </u>	<u>          </u>	8/29/90
<i>HFW</i>	AI	<del>5,451,866</del> 5,451,876	9/19/1995	Sandford et al.	<u>          </u>	<u>          </u>	10/18/93
<i>HFW</i>	AJ	5,653,233	8/ 5/1997	Pelc et al.	<u>          </u>	<u>          </u>	8/11/95
<i>HFW</i>	AK	6,025,717	2/15/2000	Hertz et al.	<u>          </u>	<u>          </u>	6/23/97
<i>HFW</i>	AL	6,043,659	3/28/2000	McKinnon	<u>          </u>	<u>          </u>	10/31/97
<i>HFW</i>	AM	6,046,591	4/ 4/2000	King et al.	<u>          </u>	<u>          </u>	7/21/98

#### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES	NO
<i>HFW</i>	AN	0 380174	8/ 1/1990	EPO	<u>          </u>	<u>          </u>		
<i>HFW</i>	AO	0 431 684 A1	6/12/1991	EPO	<u>          </u>	<u>          </u>		
<i>HFW</i>	AP	JP 62073146	4/ 3/1987	JAPAN	<u>          </u>	<u>          </u>		X
<i>HFW</i>	AQ	JP 01221153	9/ 4/1989	JAPAN	<u>          </u>	<u>          </u>		X
<i>HFW</i>	AR	JP 02305549	12/19/1990	JAPAN	<u>          </u>	<u>          </u>		X

WP-16189.1

<b>EXAMINER:</b> <i>H. Williams</i>	<b>DATE CONSIDERED:</b> <i>4-16-02</i>
<b>EXAMINER:</b> Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant	

SEP 27 2001

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DO

260/130

NO.

SERIAL NO.

09/887,385

APPLICANT:

David Hertz





FILING DATE:

June 22, 2001

GROUP:

2819

## FOREIGN PATENT DOCUMENTS (Continued)

EXAMINER INITIAL <i>HW</i>	AS	JP 04079937	3/13/1992	JAPAN				X
<i>HW</i>	AT	JP 6078899	3/22/1994	JAPAN				X

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

EXAMINER INITIAL <i>HW</i>	AU	Robert W. Dykstra, "An NMR Preamplifier Modification Provides Increased Proton Sensitivity", Journal of Magnetic Resonance, Vol. 78, pgs. 574-576, 1988
	AV	

WP-16189.1

EXAMINER:

*A.L. Williams*

DATE CONSIDERED:

*4-16-02*

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant

# **Notice of References Cited**

DEC 10 2004

Application/Control No.

09/887,385

Applicant(s)/Patent Under  
Reexamination  
Hertz

Examiner

Howard Williams

Art Unit

2819

Page 1 of 1

## **U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM- YYYY	Name	Classification
	A	US-6,333,707 B1	25 Dec 2001	Oberhammer et al.	341/155
	B	US-5,739,691	14 Apr. 1998	Hoenninger, III	324/322
	C	US-5,529,068	25 June 1996	Hoenninger, III et al.	324/309
	D	US-5,202,686	13 Apr. 1993	Rapp et al.	341/139
	E	US-4,831,329	16 May 1989	Hughes	324/309
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

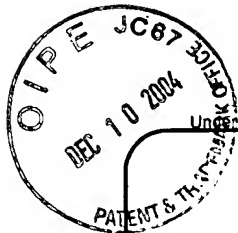
## **FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM- YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

## **NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Porter et al., <i>A Sixteen Channel Multiplexing Upgrade for Single Channel Receivers</i> , Sept. 2001, Magnetic Resonance Imaging, Vol. 19 No. 7, pages 1009-1016.
	V	Friederick et al., <i>A Phased Array Echoplanar Imaging System for fMRI</i> , Jan 2001, Magnetic Resonance Imaging, Vol. 19 No. 1, pages 121-129.
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



12-13-04

fw

PTO/SB/21 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/646,401
	Filing Date	August 22, 2003
	First Named Inventor	David Hertz
	Art Unit	2819
	Examiner Name	Williams
Total Number of Pages in This Submission	Attorney Docket Number	23242-1020

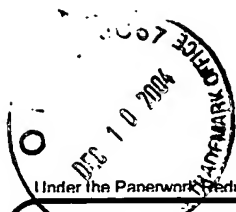
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	See Remarks
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	- Statement Under 37 CFR 3.73(b);	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	- Certificate of Express Mailing;	
	- Return receipt Postcard.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Brandon N. Sklar, Esq., Reg. No. 31, 667 Kave Scholer LLP
Signature	
Date	December 10, 2004

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: _____	
Typed or printed	_____
Signature	_____
Date	_____

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 850.00**Complete if Known**

Application Number	10/646,401
Filing Date	08/22/2003
First Named Inventor	David Hertz
Examiner Name	Williams
Art Unit	2819
Attorney Docket No.	23242-1020

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 50-0988 Deposit Account Name: Kaye Scholer LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 20 or HP = 13	x	50.00	= 650.00

HP = highest number of total claims paid for, if greater than 20

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 3 or HP = 1	x	200.00	= 200.00

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 100 =	/ 50 =	(round up to a whole number) x		

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: \_\_\_\_\_

**SUBMITTED BY**

Signature

Registration No. 31,661  
(Attorney/Agent)

Telephone 212-836-8653

Name (Print/Type) Brandon N. Sklar

Date December 10, 2004

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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